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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/306,854	09/17/2001	SANDRA PSIK	22750/402	4062

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EXAMINER

CHIN, RANDALL E

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 03/21/2003

1/

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/306,854

Applicant(s)

PSIK ET AL.

Examiner

Randall Chin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 12,13,16 and 17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 15 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s) ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>1, 3</u> . | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Election/Restrictions

1. Claims 12 and 13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 10.
2. Applicant's election with traverse of Figure 1, claims 1-11 and 14-17 in Paper No. 10 is acknowledged. The traversal is on the ground(s) that a search and examination of all claims 1-17 can be made without undue burden on the Examiner. This is not found persuasive because Applicant has not traversed on the grounds that the species are not patentably distinct.

The requirement is still deemed proper and is therefore made FINAL.

Claim 16, indicated by Applicant as readable on the elected species of Figure 1, has been withdrawn from consideration since claim 16 sets forth that the swivel joint comprises two relatively twistable components which are secured to the supporting body and to the handle, and are separable from each other, which is not disclosed in elected Figure 1.

Also, Claim 17, indicated by Applicant as readable on the elected species of Figure 1, has been withdrawn from consideration since claim 17 sets forth that the swivel joint is contained in an adapter which is releasably connectible both to the supporting body and to the handle, which is not disclosed in elected Figure 1.

Claim Rejections - 35 USC § 112

3. Claims 2, 4-11 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2, line 3, the recitation "columnar or conical guideway" appears to be an alternative expression rendering the claim vague and indefinite since it is unclear what Applicant intends the claimed invention to be.

Claims 4, 5 and 6, it is suggested that "a handle stop" (line 3) and "a counterstop" (line 4) be positively recited for completeness.

Claims 7 and 8, the recitation "wherein the stop and/or the counterstop" appears to be an alternative expression rendering the claim vague and indefinite since it is unclear what Applicant intends the claimed invention to be. Claim 8, it is unclear if there is any distinction between the terms "disengageable" and "removable" here.

Claims 9 and 10, line 3, "a journal" should be positively recited. On lines 4-5, it is not clear what "at least one partial area" means.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Great Britain 200,733 (hereinafter GB '733).

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GB '733 discloses with respect to claims 1 and 3 a floor-mopping device, comprising a handle D having a longitudinal axis, a supporting body (flange in the Figure) E to which the handle is connected, at least one flexible mopping element F suspended from the supporting body in pendulum fashion, and means for suppressing (tubular portion of E shown in the Figure) canting of the supporting body relative to the handle. GB '733 does recite in col.1, lines 39-46 that the flange portion E could be "fixed square with handle D" or "arranged to swivel on the mop handle when the mop is in use". It should be noted that the two vertical prongs of element B fit into the two slots underneath flange E (not explicitly labeled) thus causing mop to swivel. It is the position of the Examiner that it would have been obvious to one of ordinary skill in the art to have modified the GB '733 device such that the swiveling flange E is "fixed square" with the handle (as opposed to be at an angle as the Figure shows) such that the supporting flange is rotatable about the longitudinal axis of the handle in order to more easily access hard-to-reach areas when cleaning furniture, for example. The means for suppressing is columnar as set forth in claim 2 and as shown in the Figure.

Allowable Subject Matter

6. Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randall Chin whose telephone number is (703) 308-

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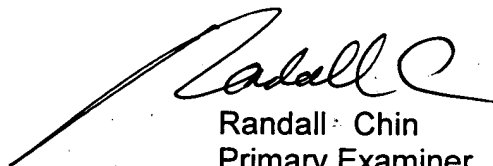
1613. The examiner can normally be reached on Monday through Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Warden can be reached on (703) 308-2920. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



R. Chin
March 19, 2003



Randall Chin
Primary Examiner
Art Unit 1744